

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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MICHAEL JOSEPH TREBILCOTT, JR.,

Appellant,

v.

Case No. 1:09-CV-565

4151 PROPERTIES, LLC.,

HON. GORDON J. QUIST

Appellee.

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**ORDER**

On August 20, 2009, Andrew J. Gerdes and the law firm of Andrew J. Gerdes, P.L.C. filed a motion to withdraw as counsel for Appellant, Michael Joseph Trebilcott, Jr., on the grounds that Appellant has failed to communicate with Mr. Gerdes or make payment for services rendered despite notice that such failure will result in withdrawal. A copy of the motion was provided to Appellant by first class mail to all known addresses and he has failed to respond. Where, as here, an attorney gives reasonable notice to his client that failure to pay will result in withdrawal and neither party shows that severe prejudice will result, withdrawal for failure to pay is proper. *Brandon v. Blech*, 560 F.3d 536, 538-39 (6th Cir. 2009). Therefore,

**IT IS HEREBY ORDERED** that the Motion to Withdraw as Counsel for Appellant, Michael Joseph Trebilcott, Jr., (docket no. 4) is **GRANTED**. Attorney, Andrew J. Gerdes, and the law firm of Andrew J. Gerdes, P.L.C. are relieved of their representation of Trebilcott in this case.

**IT IS FURTHER ORDERED** that Appellant, Michael Joseph Trebilcott, Jr., shall file an appellate brief within **thirty (30) days** of the date of this Order. Failure to do so will result in dismissal for want of prosecution under W.D. Mich. R. 41.1.

Dated: September 18, 2009

/s/ Gordon J. Quist  
GORDON J. QUIST  
UNITED STATES DISTRICT JUDGE